

**REMARKS**

Claims 1-8 and 10-43 remain pending in the application.

***I. REJECTIONS OF CLAIMS 1-8 AND 10-43 UNDER 35 USC §102/§103***

Claims 1-8 and 10-43 are pending in the present Office Action. Claim 1 is the only independent claim.

- (a) *Claims 1-5, 10-15, 17, 18, and 32-43 remain rejected as being anticipated by or obvious based Nishiguchi.*
- (b) *Claims 1-8 and 10-16 remain rejected as being obvious over Jung, in view of May et al.*
- (c) *Claims 16 and 19-31 remain rejected as being obvious over Nishiguchi, in view of May et al.*

In response to Applicants' previous arguments, the Examiner indicates that it is not clear from the applicant's specification how the disclosures of Nishiguchi, Jung, and May do not meet the limitation of substantially the same attenuation and phase change with respect to light from the first and second light paths. The Examiner submits that it would be desirable for any display device to output the same proportions of slow and fast axis components, to maintain a uniform display. The Examiner invites the applicants to explain more clearly the distinctions between the present invention and the references of record. (Office Action, p. 2). Applicants will now attempt to do so.

Applicants acknowledge that each of the references teach some form of spatially patterned retarder. This is not to say, however, that the device incorporating the patterned retarder would exhibit substantially the same attenuation and phase change with respect to light from first and second paths as recited in claim 1. For example, Fig. 5 illustrates the 2D mode of a 2D/3D display of the type described in GB 236 728 and EP 0 887 666. (See, e.g., Spec., p. 5, Ins. 20-25). As noted in Fig. 5, a non-uniform wavefront 22 results due to the fast "f" and slow "s" components of light from the regions 8 both being passed thru whereas only the slow component "s" of light from the regions 9 is passed through. (See, e.g., the non-uniformity represented in the wavefront 22 in Fig. 5). This non-uniformity is due to the arrangement of the polarisers and patterned retarder, and in particular, the optical axes thereof as utilized in the system of Fig. 5.

On the other hand, Fig. 6 illustrates the manner in which the polarisers and patterned retarder may be oriented in accordance with the present invention to produce a uniform wavefront 24 with respect to light from regions 8 and 9.

As noted above, Nishiguchi, Jung, and May all teach some form of spatially patterned retarder. The spatially patterned retarder functions to provide spatially patterned regions where differently (possibly orthogonal) polarizations are present. In the case of Jung and Nishiguchi, the patterned retarder forms part of a system to provide a stereoscopic display. May provides a switchable hologram.

Unlike the present invention as recited in claim 1, however, Nishiguchi, Jung, and May do not provide the aforementioned substantially same attenuation and phase change. In Jung and Nishiguchi the polarisers, are orthogonal so only one relevant polarisation can be considered. In May, the polarisers can be at 45 degrees but the retarder arrangement is symmetric so the two different wavefronts in fact have the same spatial intensity variation. Thus, the unexpected result of two potential intensity distributions does not occur in any of the above systems.

Consequently, the desirability to select a particular configuration giving uniform distribution is not anticipated or rendered obvious by the cited references whether taken alone or in combination. The present invention is characterized by the two regions being equal in amplitude and phase (e.g., claim 1), and by transmitting equal proportions of fast and slow axis components (e.g., claim 9).

For at least the above reasons, applicants respectfully request withdrawal of the rejections.

## ***II. CONCLUSION***

Accordingly, all claims 1-8 and 10-43 are believed to be allowable and the application is believed to be in condition for allowance. A prompt action to such end is earnestly solicited.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should a petition for an extension of time be necessary for the timely reply to the outstanding Office Action (or if such a petition has been made and an additional extension is necessary), petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 18-0988.

Respectfully submitted,

RENNER, OTTO, BOISSELLE & SKLAR, LLP

/Mark D. Saralino/

Mark D. Saralino

Reg. No. 34,243

DATE: January 30, 2008

The Keith Building  
1621 Euclid Avenue  
Nineteenth Floor  
Cleveland, Ohio 44115  
(216) 621-1113